THE LATTER-DAY SAINTS'

MILLENNIAL STAR.

"Thou shalt arise, and have mercy upon Zion: for the time to favor her, yea, the set time, is come."– PSALMS.

No. 27, Vol. XXXVI. Tuesday, July 7, 1874. Price One Penny.

AMERICAN WARFARE.

In our notice yesterday (April 16) of that dogged peculiarity of American warfare, of fighting it out to the bitter end, instead of an over-reached army considering itself defeated, as is usual in European warfare, we referred to the existence of the same characteristic in the warfare of the ancient Americans as among the modern Americans, as recorded in the *Book of Mormon*.

In the fourth century after Christ, the two principal nations of North America became engaged in deadly warfare with each other, and after various contests, intervals of peace, successes and defeats, the two nations gathered together in the now Northern States to fight it out still further. Finally they assembled at and around, or in the vicinity of, what is now Manchester, Ontario County, New York, with the following result, according to the *Book of Mormon*, page 507-8—

"And it came to pass that when we had gathered in all our people in one to the land of Cumorah, behold I, Mormon, began to be old; and knowing it to be the last struggle of my people, and having been commanded of the Lord that I should not suffer that the records which had been handed down by our fathers, which were sacred, to fall into the hands of the Lamanites, (for the Lamanites would destroy them), therefore I made this record out of the plates of Nephi, and hid up in the hill Cumorah, all the records which had been entrusted to me by the hand of the Lord, save it were these few plates which I gave unto my son Moroni. And it came to pass that my people, with their wives and their children, did now behold the armies of the Lamanites marching towards them; and with that awful fear of death which fills the breasts of all the wicked, did they await to receive them. And it came to pass that they came to battle against us, and every soul was filled with terror, because of the greatness of their numbers. And it came to pass that they did fall upon my people with the sword, and with the bow, and with the arrow, and with the axe, and with all manner of weapons of war. And it came to pass that my men were hewn down, yea, even my ten thousand who were with me, and I fell wounded in the midst; and they passed by me that they did not put an end to my life. And when they had gone through and hewn down all my people save it were twenty and four of us, (among whom was my son Moroni),

and we having survived the dead of our people, did behold on the morrow, when the Lamanites had returned unto their camps, from the top of the hill Cumorah, the ten thousand of my people who were hewn down, being led in the front by me; and we also beheld the ten thousand of my people who were led by my son Moroni. And behold, the ten thousand of Gidgiddonah had fallen, and he also in the midst; and Lamah had fallen with his ten thousand; and Gilgal had fallen with his ten thousand; and Limah had fallen with his ten thousand; and Joneam had fallen with his ten thousand; and Camenihah, and Moronihah, and Antionum, and Shiblom, and Shem, and Josh, had fallen with their ten thousand each.

"And it came to pass that there were ten more who did fall by the sword, with their ten thousand each; yea, even all my people, save it were those twenty and four who were with me, and also a few who had escaped into the south countries, and a few who had dissented over unto the Lamanites, had fallen, and their flesh, and bones, and blood lay upon the face of the earth, being left by the hands of those who slew them, to moulder upon the land, and to crumble and to return to their mother earth."

But still greater struggles of this same exhaustive and exterminative character happened in North America many hundred years previous to those to which the extract above quoted refers. A much more ancient people became involved in wars with each other, and they pursued the fierce strife with similar bitter relentlessness, and unto even a more complete destruction, not one alone, but both parties being exterminated. After describing much war and bloodshed, the *Book of Mormon*, pages 526-7, says—

"And it came to pass that Shiz pursued after Coriantumr, and he did overthrow many cities, and he did slay both women and children, and he did burn the cities thereof; and there went a fear of Shiz throughout all the land; yea, a cry went forth throughout the land, who can stand before the army of Shiz? Behold, he sweepeth the earth before him! And it came to pass that the people began to flock together in armies, throughout all the face of the land. And they were divided, and part of them fled to the army of Shiz, and a part of them fled to the army of Coriantumr. And so great and lasting had been the war, and so long had been the scene of bloodshed and carnage, that the whole face of the land was covered with the bodies of the dead; and so swift and speedy was the war, that there was none left to bury the dead, but they did march forth from the shedding of blood to the shedding of blood, leaving the bodies of both men, women, and children, strewed upon the face of the land, to become a prey to the worms of the flesh; and the scent thereof went forth upon the face of the land, even upon all the face of the land; wherefore the people became troubled by day and by night, because of the scent thereof; nevertheless, Shiz did not cease to pursue Coriantumr, for he had sworn to avenge himself upon Coriantumr of the blood of his brother who had been slain."

"And it came to pass that Shiz did pursue Coriantumr eastward, even to the borders of the sea-shore, and there he gave battle unto Shiz for the space of three days; and so terrible was the destruction among the armies of Shiz, that the people began to be frightened, and began to flee before the armies of Coriantumr; and they fled to the land of Corihor, and swept off the inhabitants before them, all they that would not join them; and they pitched their tents in the valley of Corihor. And Coriantumr pitched his tents in the valley of Shurr. Now the valley of Shurr was near the hill Commor; wherefore Coriantumr did gather his armies together upon the hill Commor, and did sound a trumpet unto the armies of Shiz, to invite them forth to battle. And it came to pass that they came forth, but were driven again; and they came the second time; and they were driven the second time. And it came to pass that they came again the third time, and the battle became exceeding sore. And it came to pass that Shiz smote upon Coriantumr that he gave him many deep wounds, and Coriantumr having lost his blood, fainted, and was

carried away as though he were dead. Now the loss of men, women, and children, on both sides, was so great that Shiz commanded his people that they should not pursue the armies of Coriantumr; wherefore they returned to their camp.

After this, Coriantumr, finding that nearly two millions of his people had been slain, made overtures of peace to Shiz, who offered to accept them for the people, providing Coriantumr was given up to him for death. Of course this offer was declined, and after a while the two nations fell to fighting with each other again, continuing the war until they found themselves in this same New York State. Here is the sequel of the struggle, quoting from the *Book of Mormon*, page 548-9—

"And it came to pass that the army of Coriantumr did pitch their tents by the hill Ramah; and it was that same hill where my father Mormon did hide up the records unto the Lord, which were sacred.

"And it came to pass that they did gather together all the people, upon all the face of the land, who had not been slain, save it was Ether. And it came to pass that Ether did behold all the doings of the people; and he beheld that the people who were for Coriantumr, were gathered together to the army of Coriantumr; and the people who were for Shiz, were gathered together to the army of Shiz; wherefore they were for the space of four years, gathering together the people, that they might get all who were upon the face of the land, and that they might receive all the strength which it was possible that they could receive. And it came to pass that when they were all gathered together, every one to the army which he would, with their wives and their children; both men, women, and children being armed with weapons of war, having shields, and breast-plates, and head-plates, and being clothed after the manner of war, they did march forth one against another, to battle; and they fought all that day, and conquered not. And it came to pass that when it was night they were weary, and retired to their camps; and after they had retired to their camps, they took up a howling and a lamentation for the loss of the slain of their people; and so great were their cries, their howlings and lamentations, that it did rend the air exceedingly. And it came to pass that on the morrow they did go again to battle, and great and terrible was that day; nevertheless they conquered not, and when the night came again, they did rend the air with their cries, and their howlings, and their mournings, for the loss of the slain of their people.

"And it came to pass that they fought all that day, and when the night came they slept upon their swords; and on the morrow they fought even until the night came; and when the night came they were drunken with anger, even as a man who is drunken with wine; and they slept again upon their swords; and on the morrow they fought again; and when the night came they had all fallen by the sword save it were fifty and two of the people of Coriantumr, and sixty and nine of the people of Shiz. And it came to pass that they slept upon their swords that night, and on the morrow they fought again, and they contended in their mights with their swords, and with their shields, all that day; and when the night came there were thirty and two of the people of Shiz, and twenty and seven of the people of Coriantumr.

"And it came to pass that they ate and slept, and prepared for death on the morrow. And they were large and mighty men, as to the strength of men. And it came to pass that they fought for the space of three hours, and they fainted with the loss of blood. And it came to pass that when the men of Coriantumr had received sufficient strength, that they could walk, they were about to flee for their lives, but behold, Shiz arose, and also his men, and he swore in his wrath that he would slay Coriantumr, or he would perish by the sword; wherefore he did pursue them, and on the morrow he did overtake them; and they fought again with the sword. And it came to pass that when they had all fallen by the sword, save it were Coriantumr and Shiz, behold Shiz had fainted with loss of blood. And it came to pass that when Coriantumr had leaned upon his sword, that he rested a little,

he smote off the head of Shiz. And it came to pass after he had smote off the head of Shiz, that Shiz raised upon his hands and fell; and after that he had struggled for breath he died. And it came to pass that Coriantumr fell to the earth, and became as if he had no life."

Thus, at two separate, distinct, and far removed epochs of ancient American history did the people, on a very extensive scale, exhibit the same peculiar refuse to-be-beaten characteristic in their warfare as was exhibited, in a large degree, in the recent American civil war. How is it? It is a thing for the philosophers to ponder over.—*Deseret News.*

ENERGY AND FIRMNESS.

Energy and Firmness are traits of character that may almost be considered the motive power of our existence. They constitute the leading principle of success; without them all good resolution and beautiful imaginary problems fall to the ground, unexecuted, and lost. Energy aids action, and action is life, inaction is death. Energy is, as it were, the germ that produces, or brings forth its concomitant traits, such as order and cleanliness; and without Firmness where is execution? We may not question, who has, or has not, these desirable traits of character. Our eyes are given us to see with; and people's actions are as a looking glass to their character; and if our neighbors do not want us to read a chapter from their book, the title page of which is stamped with "fickleness and instability," let them measure strength with Energy and Firmness, and spring forth to light and life. How natural it is for one to remark when occasion is given, "How untidy that person's working department is!" or "How orderly, and cleanly, their entire surroundings are!" Every action depicts some one or more traits of character. The language, the voice, the gesture, the walk, &c.

View the figure that forward propels itself with lengthened strides, eager to get over the measured ground—you can read energy in the very foot-marks; such estimate that time was not made to hang on rusty hinges; they do not allow the mind to wander on a thousand trivial things. One having an object to accomplish, fixed and firm in purpose, has no time to reconnoitre through all space, and view with elaborate exactness, and give a general detail of the neighborhood gossip. The one who feasts on gossip to-day, may have to fast to-morrow.

Order and cleanliness are not the results of noon day rising from nightly slumbers. Mortals may substitute, but it is not in their power to render an equivalent for the brilliancy of the morning sun, its beauties and freshness. Then why should we let sluggishness, and inactivity rob Energy and Firmness of their power?

The selfish one says, "I intend to take it easy." I would ask, at whose expense? Surely, labor must be done; the helpless must be provided for; even those who will not work must eat, and somebody must "foot the bill."

While Ease is dying, has not power to draw his breath, Energy and Firmness can dig his grave. But the drone is not needed in the hive; and by-and-by, "The idler shall not eat the bread of the laborer."—I'LL TRY, in *Woman's Exponent.*

THE POLAND BILL.

(CONTINUED FROM PAGE 404.)

Mr. Cessna. I ask the gentleman to yield to me to offer a substitute for the fourth section of this bill proposed by the committe.

Mr. Poland. It was agreed to in the Committee on the Judiciary that the gentleman from Pennsylvania (Mr. Cessna) should have the right to offer

the amendment he has indicated. I yield to him for that purpose.

The proposed substitute for the fourth section was read, as follows:

Sec. 4. That whenever a judge of any District Court of said Territory shall determine that a grand or petit jury will be needed at a term of such court, the said judge, the clerk of such court, and the United States Marshal shall, without regard to the religious, political, or social opinions of such citizens, make a list in writing of two hundred male citizens of the United States, above the age of twenty-one years, who shall have been residents in such district for a period of six months next previously, and shall affix thereto their certificate to the effect that the same is the list from which the grand and petit jurors are to be drawn for the terms of such court to be holden within the year next following, and shall cause same to be filed in the office of the clerk of said court; and whenever the judge shall order the clerk to issue a *venire*, the clerk, in the presence of the said judge and Marshal, or his deputy, shall write the names contained in the said list each on a separate slip of paper, all the slips being of the same size and kind, and shall fold them uniformly so that the name written thereon shall be concealed, shall then place them in a covered box and thoroughly mix and mingle them, and shall then not select, but shall draw, as by lot, therefrom the requisite number of names. If a grand jury be required, it shall be drawn first, and consist of the number before provided. The number of petit jurors thus drawn shall be such as, in the opinion of such judge, is needful to discharge the entire jury duty for such term, so that there shall always be three more jurors than the number required for each separate panel; and the panel in each trial shall be twelve men. The clerk shall make a list in writing of the names of the persons so drawn, and the clerk and the Marshal shall affix thereto their certificates of the time and place of such drawing, and file the same in the office of said clerk, who shall forthwith issue a *venire* to the said Marshal, commanding him to summon the persons so drawn to attend and serve as such jurors at the time and place previously designated by the said judge, and such jurors shall constitute the regular jurors for such term of the court for all cases, whether arising under the laws of the United States or under the laws of said Territory. If at any time a talesman or talesmen shall be required, his or their names shall be drawn from the said box by the clerk in open court, and if the attendance of such juror or jurors cannot be procured in a reasonable time other names shall be drawn, and so from time to time until the jury is obtained. No challenge shall be allowed on the ground that a juror had been summoned or had served at a previous term of court. Each party, whether in civil or criminal cases, shall be allowed three peremptory challenges; and in the trial of any prosecution for adultery, bigamy, or polygamy, it shall be a good cause of principal challenge to any juror that he practices polygamy, or that he believes in the rightfulness of the same. In criminal cases, the court, and not the jury, shall pronounce the punishment under the limitation prescribed by law. The grand jury must inquire into the case of every person imprisoned within the district on a criminal charge and not indicted; into the condition and management of the public prisons within the district; and into the willful and corrupt misconduct of officers of every description within the district; and they are also entitled to free access, at all reasonable times, to the public prisons, and to the examination, without charge, of all public records within the district.

Mr. Poland. I yield to the gentleman from Wisconsin (Mr. Barber) to offer an amendment.

Mr. Barber. I move to amend by adding to the last section these words:

But the District Attorney shall not by fees and salary together receive more than $3,500 per year; and all fees or moneys received by him above said amount shall be paid into the Treasury of the United States.

Mr. Poland. I move to recommit the bill and amendments.

Mr. Speaker, I shall take but a very few moments in explaining this bill. I should be very glad to give

more time and have a more extended discussion of it than the condition of business in the House will at this time allow.

The bill that has been presented by the Judiciary Committee is mainly remarkable for its moderation when compared with previous bills that have been before the House upon this vexed subject of the Territory of Utah. Every gentleman in the House knows more or less of the history of this Territory, of its very peculiar origin and settlement, and the difficulties that have attended the execution of the law there. While that Territory was aloof from all the rest of the United States, while it was almost inaccessible, the officers of the United States who were sent there were at times driven away; they were never allowed to exercise any authority as officers of the United States over that Territory. I have no time to go into the history of those matters. Gentlemen have doubtless given them attention; and if any gentleman desires particular information on that subject, I would refer him to the debates that took place in this House and the Senate upon this subject four years ago, and also to documentary evidence connected with the contest for the seat as Delegate of that Territory four or five years ago, in which all the facts and the whole history of this subject are given.

Since the building of the Pacific Railroad, and since the discovery of mines in Utah, which have induced an influx of population termed there "Gentiles," the state of things in that Territory has been somewhat different from what it was at an earlier period. The ruling powers in Utah have not ventured within a few years to drive out the United States officers or to molest them personally; but having the whole power of the local Legislature, they have contrived effectually to checkmate the authority of the United States officers. We send out a District Attorney of the United States; the Territorial Legislature of Utah, filled entirely by Mormons controled entirely by Brigham Young and the "twelve apostles," elects a Territorial Attorney General, and invests him with full power and authority. We send out a United States Marshal; this Territorial Legislature elects a Territorial Marshal, investing him with full power; and although two or three years ago the Supreme Court of that Territory decided that this Marshal was illegally appointed and that the office was vacant, yet in spite of the Supreme Court and its decision, that Territorial Marshal continues to hold the office until this day and to execute his authority.

Mr. Crounse. Will the gentleman allow me a single remark?

Mr. Poland. Not a word. We send out United States judges to hold court in that Territory; the Territorial Legislature elects probate judges in the various counties and invests them with full power and authority in all judicial matters—in all cases civil and criminal, law and equity. Men are tried for murder in the Probate Court. So that by this duplication of all the authorities that we send out into that Territory, the power of the United States is effectually checkmated and all its officials are the merest figure-heads.

Now, Mr. Speaker, the object of this bill is to stop this proceeding, and to put the legal machinery in motion in that Territory. That is the whole scope and purpose of the bill; and as I have but a few moments, I will call attention briefly to its provisions. It provides in the first section for the exercise of the duties and powers of the United States Marshal; and for the purpose of enabling him to execute the duties of his office, it provides that he may appoint deputies who are to give bonds, &c. To that section there is a written amendment which is now a part of the bill, in which, in order that it may not be said on the part of the Mormon population that they have not officers of their own persuasion to serve process if they please, we have provided that the sheriffs of the several counties may serve any process returnable to the district or any other court within their respective counties.

The second section of the bill provides for the performance of duty by the United States District Attorney, who is authorized to appoint assistants for that purpose; but to this also we

have added, as in the first section, a provision that the Territorial Legislature may provide for the appointment of a prosecuting attorney in every county who may prosecute for all offences under the laws of the Territory; and if any of those cases go by appeal, or otherwise, into the District Court, this local attorney may be associated in the prosecution of those cases in that court.

The third section relates to the respective jurisdictions of the courts and giving jurisdiction to the District Courts which are held by the judges appointed by the President, and taking away the jurisdiction of the Probate Courts; that is, confining the jurisdiction of these Probate Courts to the proper business of the settlement of estates.

And I think the gentleman who sits here as Delegate of that Territory knows as well as I know the Supreme Court have agreed upon a decision, and it was only deferred in consequence of the pendency of this bill, wherein they have decided the Territorial Legislature had no authority to confer this kind of jurisdiction which these Probate Courts have heretofore exercised; that the conferring of general, legal, civil, and criminal jurisdiction upon the courts was a usurpation and their acts are void. We provide in this bill for taking away that jurisdiction from these Probate Courts, but at the same time we have taken care to validate the proceedings which have become executed.

The fourth section, Mr. Speaker, provides for the selection of jurors, and upon this we have had great difficulty. The bill, as originally reported from the committee, contains the provision offered by the gentleman from Pennsylvania (Mr. Cessna) as a substitute for the present fourth section. We provided the district judge and clerk and Marshal should select two hundred names from which the jurors were to be drawn. The committee were impressed with this idea that a jury should be drawn from the body of the people, and we were not satisfied with a provision which would put the whole power of drawing juries into the hands of persons who were not Mormons, and who might be hostile to them. Therefore we have substituted the present provision of the fourth section that the clerk of the District Court and the judge of probate of the county where the District Court sits shall select a list of two hundred names, each selecting the names alternately, so the fair prospect would be that one-half of the two hundred names selected would be Mormons and the other half would not.

We have then provided that the drawing of the jurors shall be in open court; shall be public, so everybody may have an opportunity to see it is fairly done. The majority of the Judiciary Committee thought this provision was one nobody could complain of; one which would be entirely fair to all parties.

But, in addition to that, we have a provision that in any prosecution under the law of Congress against polygamy, the fact of a person's practicing polygamy or believing in the rightfulness of it should be good cause of challenge to his sitting on a jury to try that sort of offence.

Mr. DeWitt. Grand as well as petit juries?

Mr. Poland. Yes.

The fifth section of the bill provides for the appointment of notaries public by the Government. Notaries public are now elected by the Mormon Legislature.

The sixth section of the bill provides for the appointment of commissioners by the court with the same powers of commissioners appointed by the Circuit Court of the United States.

[TO BE CONTINUED.]

Cremation has obtained a majority of advocates in the Cambridge University Union; for at its last meeting a motion in favor of introducing it into England was adopted by 104 to 42 votes.

If you desire to enjoy life, avoid unpunctual persons; they impede business and poison pleasure. Make it your own rule not only to be punctual, but a little beforehand.

THE LATTER-DAY SAINTS' MILLENNIAL STAR.

TUESDAY, JULY 7, 1874.

JUDGE ADVOCATE GENERAL HOLT'S OPINION—FORCIBLE RELEASE OF A PRISONER BY THE MILITARY IN S. L. CITY.

Some time ago the military authorities, near to Salt Lake City, took exception to the practice of the civil authorities in arresting, fining and imprisoning soldiers who were guilty of disorderly conduct and otherwise infringing the laws of the city. It was claimed that soldiers were not amenable to any other authority than that of the military, and that, though soldiers should run wild, and disturb the peace of the citizens and violate the municipal ordinances, the power to correct and punish those so offending was in the hands only of the military authorities. The Secretary of War was communicated with in regard to the question, who has transmitted to the commander of the military camp, as we announced last week, the opinion of Judge Advocate General Holt, endorsed by General Sherman, Lieut-General Sheridan and himself, deciding that the city authorities cannot arrest soldiers for offences committed against the city ordinances, and that if such arrests should afterwards take place the military were required to forcibly release, if necessary, those soldiers so imprisoned. The result of this decision is—as has already transpired—that soldiers, in their perambulations through Salt Lake City, may insult peaceable citizens and commit any depredation with the utmost freedom, and no civilian can, by the Judge Advocate General's construction of law, interfere. The military authorities, four miles away from Salt Lake City, must be applied to before arrests can be made or soldiers checked in their disorderly and lawless conduct. Their punishment would be, no doubt, as certain through that source as it would be through the civil authority, and perhaps even more severe; but what a great amount of mischief may be done while justice is thus prevented, though temporarily, from exercising its legitimate functions.

A very few days after the opinion of the Judge Advocate General had been made public, an occurrence took place which went to show, in the most practical manner, how serious might be the consequences, should such an attempt, to override the civil laws, be made in any place other than in Utah Territory, where the people are accustomed to "opinions" of that kind and which they care little about, knowing as they do that so long as the superior court that decided the Englebrecht case and overturned scores of "opinions" and decisions given by unprincipled judges, maintains its sense of justice and Constitutional liberty, irrespective of *religion*, the result will be in favor of the cause of truth. We give the following from the *Deseret News*:—

About seven o'clock last night (June 10th) Judge Solomon P. McCurdy, ex-Associate Justice of Utah, was walking quietly along the west side of First East Street, when he was accosted and then violently seized by a drunken soldier, who pushed him across the water ditch and then threw him upon his back on the street. Judge McCurdy, who is an elderly and very inoffensive gentleman, got upon his feet and again crossed the foot bridge and got upon the sidewalk. The soldier went at him again, and this time knocked the poor old man head-first into the ditch, and as the bank is between three and four feet high at that point it is a wonder his neck was not broken. By this time the attention of some citizens was attracted to the "scrimmage," and just as the judge was thrown into the ditch one of them darted upon the soldier and struck him a blow in the face, with his fist, sending him upon his back. Some of the bystanders, mostly boys, then seized him, and so great was the indignation that there was a cry of "Duck him." Judge Snow, however, in front of whose residence the affair happened, interposed and advised them to take the soldier to the City Hall, which they did, and he was placed in jail. * * *

This morning Lieut. Dinwiddey, from Camp Douglas, called upon Justice Clinton, and demanded that the soldier should be given up to him, which demand was not acceded to, and the Lieutenant left, saying that was all he wanted. An affidavit was made against Hackett, the soldier, by Judge Z. Snow, charging him with assaulting, abusing and maltreating Judge McCurdy. The accused was brought into Court and, in answer to the charge, stated that he did not recollect anything about the affair, and, as Judge McCurdy was unable to appear this morning the case was continued until 10 o'clock to-morrow morning. * * *

About noon, Captain Gordon, with a company of cavalry rode down to the front part of the City Hall, where the troops formed in a line and, after consultation with Governor Wood, the Captain took half the soldiers round to the yard of the jail, and commenced battering in the door of the old jail building, where Hackett was confined, using, for the purpose, a kind of battering-ram belonging to the hook and ladder company of the Fire Brigade. The door, however, was stout and resisted the efforts to demolish it, so "a change of base" was taken and the iron grating on the window was next attacked. A few bars were ultimately dislodged and the drunken and lawless hero of the hour, private Thomas Hackett, was liberated. While this was going on, Captain Gordon did a most heroic thing. He took a gun from one of his soldiers, went up stairs to the door of the sleeping apartment of the firemen, and, with the butt of the rifle, dashed open the door. Mr. Thomas Higgs, the engine fireman of the Fire Brigade, was quietly sitting in the room. The gallant captain demanded, in stentorian tones, that Mr. Higgs deliver up the prisoner. Mr. Higgs answered quietly that he had nothing to do with prisoners, and that he had come to the wrong department. Captain Gordon then said, with the addition of some powerful adjectives unknown to the general vocabulary of gentility, "Get out of here, or I'll shoot you," at the same time leveling and cocking his gun at Mr. Higgs, who, like a sensible man, did get out of there.

The troop of soldiers finally marched off to Camp Douglas, shouting, hooting, yelling and waving their hats, according to the best order of "civilization," as if they, a handful of heroes, had conquered a grand army of veterans, when they had simply taken from prison a man who had committed an offence against the laws and who was not given over to the military authorities because a principle of the rights of citizens of the republic of America was involved in the matter. The civil authorities had not the remotest inclination to offer the slightest resistance to the action of the military in taking the man from the custody of the civil authorities.

The legality of the course now being adopted toward the authorities of Salt Lake City, by the Government, in the persons of the Judge Advocate General and Secretary of War, is yet to be decided by the court of last resort. This case, wherein an ex-Associate Justice of Utah Territory has been brutally

abused by a soldier, and the forcible release of that soldier by the military authorities, will no doubt be carried to the higher court and judgment thereon given in accordance with the tone and spirit of the Constitution. The *Salt Lake Herald* contains an article on this subject, and says,—

At a time, but of comparatively recent date, when there was a strong opposition to the liquor law of this city, by certain dealers, and when men were openly setting the city ordinance at defiance, a warrant issued to the Marshal authorizing him to destroy the liquors in stock held by Paul Englebrecht & Co., and to abate the place as a nuisance. The warrant was duly obeyed by the Marshal and a posse. Suit was brought against Salt Lake City, with damages claimed amounting to over $59,000, three times the amount of the destruction claimed to have been committed. The city was defeated in the District Court and in the Supreme Court of the Territory. The case was carried to the Supreme Court of the United States, where the decision of the court below was reversed, and the decision of the court of last resort has passed into history as one of the most important rendered by that tribunal regarding the Territories.

This matter of the arrest and forcible release of a soldier yesterday is also a question of law to be decided by the courts. Each side might equally claim usurpation of authority; and while the commandant at Camp Douglas would have Judge Advocate Holt's opinion to sustain him in his claim, the city authorities would have a still stronger support in the theory and practice of Constitutional authority since the establishment of the Republic—that in time of peace the military are subordinate to civil law. But here is a conflict of opinion between civil and military authority. The civil authority is not confined alone to the civic authorities of this city, as regards the opinion entertained on the subject; but, we will venture to say, embraces nineteen-twentieths of all the civil officers in the country, ninety-nine out of every hundred lawyers; and at least four-fifths of military officers themselves, are of the same view. How is this conflict of opinion on a matter so important to be settled?

General Morrow, as a soldier, could not do other than obey the orders received by him from his superior officers, relative to this "law" of Judge Holt's. It was imperative on him to release a member of his command, by force if necessary. But a Judge Advocate's opinion *is not law*; and the city authorities could do no less than they did. They held a man accused of crime committed on the public street, in open day, upon an inoffensive gentleman, a member of the Bar of this Territory, and formerly Associate Justice of the Supreme Court of the Territory—no Mormon, nor so far as we can learn was there a single Mormon engaged in the arrest and delivery of the soldier to the jail officers. The law required them to hold this man and try him for the offence committed; the orders of General Morrow's commanding officer to him and Judge Holt's construction of the articles of war on which he bases his opinion, were mandatory upon General Morrow, but would not excuse the muncipal authorities from protecting the inhabitants of the city and holding offenders to punishment, until it can be known whether Judge Holt's opinion or the always previously accepted construction of the law be correct. There was no resistance, no thought of resistance, to the military in releasing the fellow; although it is said unnecessary violence was used by some of the troops in attacking Fireman's Hall—where it was hardly sensible to imagine prisoners would be kept—the engineer being threatened with a pointed fire-arm. * *

One disposed to complain of the manifest stretches of authority and direct usurpations exercised in Utah, against and over its people, might denounce this whole affair in more than ordinarily strong terms; but we have no disposition to do so. It resolves itself simply into a Constitutional question, and the battle of Constitutionality has been contested in Utah with some vigor, but in a decidedly peaceful way, for several years, with every prospect of its being continued for a few years to come. J. C. G.

"KEY TO THEOLOGY" AND "VOICE OF WARNING."—We have received from the publishers copies of the third edition of the "Key to Theology" and ninth edition of the "Voice of Warning," both being printed on neat and clear type and bound in cloth with leather backs. Both are the works of the late Elder Parley P. Pratt, and have been printed and published in Europe for many years past, obtaining a very extensive sale. In addition to their being printed and published at this Office, as heretofore, they are now printed, published, and for sale, at the Deseret News' Steam Printing Establishment, Salt Lake City, at prices as follows:—half morocco, $1.25; half imitation morocco, $1.00; full cloth embossed, 75 cents.

APPOINTMENTS.—Elder Wm. B. Barton is appointed to labor for the present in the Liverpool Conference, under the direction of Elder B. Eardley.

Elders Thomas F. Thomas and Wm. J. Lloyd are appointed to labor in the Welsh Conference, under the direction of Elder Henry Hughes.

The steamship *Nevada*, which sailed from here June 11th, having on board the Second Company of emigrating Saints, arrived at New York June 23rd, at 10 a.m. We have also learned that the steamship *Idaho*, which left here June 24th, with the Third Company on board, arrived at New York on the 6th inst., at 4 a.m.

THE VANITY OF IGNORANCE.

We are accustomed to hear a great deal about the pride of intellect, which, in certain quarters, is regarded as an abomination which ought not to be tolerated. But comparatively little is said in condemnation of the vanity of ignorance, which, as a matter of fact, is one of the greatest, as it is one of the most common, horrors which hapless men and women have to encounter. Indeed, it seems that ignorance of a certain kind is nowadays considered a thing that should be extolled rather than sternly reprobated. Even in its grossest developments it is regarded with a sort of sentimental admiration, mixed, perhaps, with just the slightest modicum of pity. Some people do not hesitate to declare that the man who knows nothing is a being to be envied, because he is generally contented, and that there is an amount of the pure innocence of nature about him which should commend him to our imitation. His innocence and purity are somewhat dubious, so that it may be questioned whether, after all, if more people were like him the world would be a much better or happier place than it now is. His contentment is more apparent; yet it is a contentment which a philosopher would hardly deem satisfactory. But, then, a philosopher is, of all other persons, the one for whom genuine ignorami entertain the most profound contempt. The very mention of such a person calls a smile of derision to their faces, and they are apt to go into fits of noisy laughter when they are informed that he has been relieving himself by enunciating certain caustic criticisms in reference to them. It must be said that philosophers have, in a general way, only themselves to thank for the comparatively low estimation in which they are held. If they will persist in wearing garments of a ridiculous cut, and in pointedly setting commonly accepted customs at defiance, it is the most natural thing in the world that they should come to be regarded as "eccentric," and that as a consequence, the world should lose faith in them. By scorning the conventional rules of politeness, a proceeding at which some show they are, unfortunately, great adepts, they generate the idea that the possession of a vast amount of learning not only has a tendency to make a man lack the most appreciated of all the talents, viz.,

common sense, but is calculated to assimilate his manners to those of a surly and disagreeable bear. Hence it is that, occasionally, the finger of scorn is actually pointed at philosophers, and that more frequently they are disparagingly adjudged beings who are, perhaps, very well in their way, but who, after all, for practical purposes, are not of very much account. They exhibit one phase of the vanity of ignorance in making a point of magnifying what they know to be their own imperfections. The ignorami, who are innocent of learning, with the exception that they can read—very few know how to write!—and cipher, but who are well up in every-day customs, exhibit another and more disagreeable aspect of the same thing. They are inclined to be severe on the individual who has, as they put it, "crammed" his head with a lot of rubbish; they do not believe in consuming the midnight oil—except in a ball-room, a billiard-saloon, an apartment devoted to the service of the goddess Chance, or some such place. What they do value is common sense. This they, one and all, flatter themselves they possess in a large degree, and upon the strength of this one possession they are in the habit of indulging in self-glorification to such an extent that it is evident modesty is not the accompaniment of that which they prize so highly. As most people know very little beyond the facts that they eat, drink, sleep, and get the better of their neighbors whenever they have the chance of doing so in a pleasant and artistic manner, and as they can lay claim to being blessed with the possession of common sense without running the chance of being convicted of imposture, common sense being a peculiarly unclutchable thing, it is not surprising that the talent, and especially in certain eyes, takes precedence of all the other talents and all the virtues put together.

It would puzzle a large proportion of the ignorami to define that common sense of which they boast so much. Those that possess the ability to perform the task would, it may fairly be presumed, evince no dangerous eagerness to undertake it; for, from the evidence which has been supplied, people can very well be pardoned for coming to the conclusion that it is not an altogether beautiful thing. If a man is incapable of striking out a line of action for himself; if he makes a speech bristling with dreary platitudes and trite truisms; if he demonstrates that he would never send forth an original thought or evolve from his inner consciousness an idea that might tend to great changes; if, in short, he shows that he will not only look before he leaps, but that he will look so long that, in the majority of instances, he will forget to leap—then arises the cry from the multitude that the man is safe, that people would do well to follow him, and that he is the possessor of sound common sense, which is better—oh! ever so much better!—than erratic talent. On the other hand, mark the yells of indignation and the shrugs of contempt which greet the efforts of the being who longs for improvement, who favors change when change is likely to prove beneficial, and who shows that he would work and fret himself into the grave for the sake of an ideal. If a man goes through the world without benefiting any one but himself; if he amasses riches while those out of whom he makes his wealth pine away under the agonising grip of poverty; if he "feathers his nest" in defiance of his principles (if he has any); if his few deeds of charity are as carefully studied as his greatest commercial transactions; if his entire soul is given to mammon, and his intellectual nature is allowed to run to waste; if when he dies, he leaves behind him sons and daughters who are firmly resolved to be as careful and prosperous as he has been—then he is proclaimed a man of solid attainments, whose common sense is worth almost any amount of genius. The man who, being sustained only by enthusiasm, writes a book, which the publishers will not accept, though he may be a genius, and the man who gives away that which he wants himself, but which he imagines is still more needed by somebody else, are declared to lack common sense! The man who carries common sense to its logical issue never deprives himself for the sake of another; he is firmly persuaded of the iniquity of

giving money to mendicants; he does not believe in the working man being accorded much leisure or paid high wages; he reads nothing but the newspaper, and he only reads that because his business demands that he should be *en rapport* with all that is going on around him; he wears fine clothes, lives in a fine house, and drives fine horses in a fine carriage, because it is nice and pays to do so; he snubs intellect and worships wealth, also because it pays to do so; he is never tired of iterating that scholarship and mental refinement may be very well in their way, but that they are not indispensable to a glorious and successful career in life, as is proved by the fact that he has done without them.—*Liberal Review.*

LONGEVITY.

Dr. W. Munro, late medical officer at St. Kitts, West Indies, writes to us *(British Medical Journal)* that, the question of the actual possibility of human life in any case existing beyond a century having lately been referred to, the following case may be of some interest. While, even after the most careful inquiry, he found it impossible to fix the old woman's exact age, enough was elicited to make it certain that she was more than a century old. In November 1871, he was called upon to give a burial certificate for a black woman who had just died, and who was alleged to have reached 120 years of age. [In St. Kitts, it is required in every case, whether a medical man has attended or not, that a burial certificate certifying the cause of death, as far as can be ascertained, shall be given by a medical practitioner, who is paid by the Government for such certificate. The corpse cannot be buried until this is granted. This is, Dr. Munro observes, an excellent law, worthy of imitation by the mother country.] His informant, C. D., daughter-in-law of the deceased, herself an old woman, was the widow of the youngest son of A. B. (the deceased); and he was born at the same time (as C. D. said) as A. B.'s first grandchild. Therefore, as A. B. was a grandmother at the time of his birth, she must then have been at least 40 years of age; early marriages, such as are common now, not having been permitted by the slave-owners, so that at least twenty years must be allowed for each generation. The age of C. D. Dr. Munro considered to have been 69 in 1871, she having been married while a slave at 25 years of age, and having had three children, the youngest of which was two years old at the time of the emancipation in 1834. Her husband was three years her senior; and thus, if alive, would have been 72. Therefore A. B., having been at least 40 years old at the time of his birth, must have been 112 when she died. As another proof, Dr. Munro asked C. D. if she had often spoken of the French being in St. Kitts, and was answered yes, and that she was a young woman at the time. On being asked the name of the leader, he was at once answered, the Marquis de Boolly Bouillé). This was their great invasion in 1782. They attacked and plundered the island in 1805; but the name of the leader shows that this latter was not the time referred to. Now, had A. B. been 100 or under, she could not have been a young woman in 1782—89 years back from 1871; so that, from all the evidence Dr. Munro could collect, he was induced to believe that she was certainly not under 100, and that 112 or 115 was the nearest approach to the truth, while it was not really impossible that she had actually reached 120 years. He searched the lists of slaves registered in 1817; but, as she had belonged to private owners, and had changed hands several times, he was not able to find her name. In 1868, he gave a certificate for an old man said to be 110 years old, but the age was not made out as clearly as in the other case. In about five other cases which he investigated carefully, in all of which the persons were said to have been, and were registered as, over 100, he found errors. One, said to have been 110, was really only 87. In the

churchyard of Baneterre, St. Kitts, is the tombstone of a lady of good family, who died at the age of 107. This can be depended on, as the date of the birth of such a person would be well known, and is only one example out of many showing that the lives of white creoles of the West Indies are as valuable as, if not more so than those of persons in the same condition of life at home.

UTAH NEWS.

We take the following from the *Deseret News* :—

A large number of Sunday School children assembled at the New Tabernacle yesterday morning, (June 7), and rehearsed, under the direction of Brother C. J. Thomas, the various songs, &c., which are to be rendered at the grand juvenile jubilee, which is announced to come off on the 24th of July. The various pieces were sung with commendable precision, indicating that the jubilee will be a genuine musical treat. The singing of little children possesses a charm which probably no other kind of music has, and but few spectacles are so beautiful to the eye as an assemblage of little ones. In the meeting of yesterday the girls far outnumbered the boys. Besides a number of other prominent brethren, on the stand were Presidents Brigham Young and George A. Smith, and Elders Orson Pratt and John Taylor. The latter and Assistant Superintendent of S. S. Union George Goddard, made brief and appropriate remarks to the children.

We understand that Messers. C. C. Clements and R. H. Robertson called upon City Assessor and Collector J. R. Winder, Treasurer P. A. Schettler and Recorder Robert Campbell, and asked, in a formal manner, to be permitted to take a copy of the assessment roll, and also to make such abstracts of the treasurer's and recorder's books as they might deem necessary to suit their purposes. The two gentleman were politely informed, by the officials named, that they were at liberty to examine the assessment book, to refer to any account of the City that they disputed, &c., but that they had no authority to give the books or accounts out of their official custody. It is understood that these representatives of a self-appointed committee will apply for another writ of alternative mandamus. If that should be granted, the presumption is that, after service on the officials of the papers by an officer, another formal application will be made to the Assessor, Treasurer, and Recorder, for leave to take copies of the accounts of the corporation, after which application will be made for a peremptory mandamus to be issued to compel the city officers to comply with the outrageous request. The request, or rather demand, of these parties to take and carry off copies of the accounts of the corporation is one of the most absurd and unreasonable that ever were made in any city by men claming to be sensible. Had the demand been to examine any accounts concerning the correctness of which they had doubts, it would have been altogether different, but for irresponsible parties to take copies of accounts and use them for any purpose they may choose is a demand so absurd on its face that it need scarcely so be stated.

A meeting of persons interested in the manufacture of leather, and of boots and shoes, harness, etc., was held at the City Hall last night (June 9). Bishop Edward Hunter was chosen chairman and A. M. Musser secretary of the meeting. Four tanners and curriers, nine saddle and harness makers, and thirty-five boot and shoe makers were present. Bishop Edward Hunter, Francis Platt and W. S. Trescott were appointed a committee to select a suitable location on which to erect a tannery, and to inquire into the feasibility of purchasing any that may be already extant. G. C. Riser, Edward Snelgrove and Charles Crow were selected as a committee to wait on the butchers, hide

and skin dealers, and others, to ascertain whether they were willing to co-operate with the leather makers and workers in endeavoring to establish home industry in that line on a broader basis than heretofore. Some other committees were appointed and business done with a view to the accomplishment of the object of the meeting.

Last evening (June 10) there was a meeting, in the 15th Ward School-house, of stone-cutters, masons, brick-makers, brick-layers, quarry-men, etc., Elias Morris in the chair. Each of the trades named was largely represented. The object of the meeting was to take initiatory steps towards carrying on the various branches of business connected with the building trade according to a co-operative plan. Some measures to that end were adopted, and committees were appointed, which were instructed to report at a future meeting.

The *Salt Lake Herald* gives the following: —

St. George, Utah, June 1, 1874.—*Editors Herald*:—Crops continue to be unusually promising. For the last week the broad meadows of lucerne have been converted into hay fields, where much activity exists. To-day we picked ripe cherries and mulberries. Fruit and garden prospects continue to be most satisfactory, and I never saw better growth of trees and vines, plants and vegetables. Wheat and barley are in full head, and harvest will commence in about two weeks or sooner. Bee-keeping is becoming quite an important item among our industries, and thus far our apiaries are doing remarkably well. There will be a large increase of both bees and honey, and I never saw the bees working better than to-day. One apiary here contains about 200 colonies, strong and increasing. There is nothing new to report on the difficulty with the Navajoes. They threaten hostility, but there need be little fear, with the dashing Colorado between us, and no more than three crossings, which can be easily defended. The new steam mill for Mount Trumbull is on its way to the place of business, and a train of heavy teams are on the road to bring lumber for the first floor of the Temple, the walls of which are rising three or four feet above the water table, and they are moving in earnest to hasten it to completion. The shearing of our co-operative sheep herd has been completed, the whole flock averaging four pounds of wool to the head. One two-year-old Cotswold gave a fleece of fifteen pounds as we are informed by the Superintendent. The herd of the Utah Cashmere Goat Co., near this city, is doing well and was largely increased by dropping of numerous kids. There is a great and general lack of force here—muscular force. Several hundred hands are needed to push along the various enterprises inaugurated. Everybody here seems worked almost to death. We wonder there are not hundreds of families flocking here to avail themselves of the rare openings for business in this delightful climate.—J.

From the *Ogden Junction*:—

Mr. Joseph Hall has received a communication from the postmaster at Elko, in which he states that there are six "good cases" of small-pox at that place, and that the disease is also prevailing at Wells and Carlin. A sharp lookout should be kept lest the infection should be brought into Ogden by persons from the West. We have no desire for the return of that dreadful scourge.

The machinery for the Iron Works, which arrived by the U. P. R. R., has been conveyed by the Utah Northern to the grounds of the Iron Company. We understand that the big roads have agreed to lay down a line from the junction to those grounds for the accommodation of the company. When building material can be obtained, we expect to see those buildings going up like smoke, and before long the smoke itself issuing from the tall chimneys and furnace fires of the big works.

It is folly to advise another to take a remedy which you have tried yourself, without making inquiry as to whether the conditions are alike.